



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,191	10/23/2000	Jay S. Walker	96-059X	2479

7590 01/06/2005

DEAN P. ALDERUCCI
Walker Digital Corporation
Intellectual Property Department
Five High Ridge Park
Stamford, CT 06905

EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
----------	--------------

3621

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/694,191

Applicant(s)

WALKER ET AL.

Examiner

Firmin Backer

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☒ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15, 18, 26-32 and 34-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15, 18 and 26-32 and 34-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

This is in response to an amendment file on September 30th, 2004. Claims 15, 18, have been amended, no claim has been canceled, and claims 36-42 have been added. Claims 15, 18, 26-32, 34-42 remain pending in the letter.

Response to Arguments

1. Applicant's arguments with respect to claims 15, 18, 26-32, 34-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15, 18 and 26-32 and 34-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Nair et al (U.S. Patent No. 5,479,530).
4. As per claims 15, 18 and 35, Nair et al teach an apparatus comprising a processing unit, an input device, in communication with the processing unit, the input device operable to input a second account identifier for use in place of a first account identifier thereto a transmitting/receiving device in communication with the processing unit, the

Art Unit: 3621

transmitting/receiving device operable to transmit the second account identifier to a central credit card processing system maintained by a credit card issuer for verification thereof and receive from the credit card issuer information regarding authorization of the second account identifier, and an output device in communication with the processing unit, the output device operable to output the information regarding authorization of the second account identifier, wherein the second account identifier is a single-use account identifier specific to a transaction wherein the processing unit is in communication with the central credit card system maintained by the credit card issuer (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

5. As per claim 26, Nair et al teach a method wherein the second account identifier is transmitted to an issuer associated with the first account identifier (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

6. As per claim 27, Nair et al teach a method wherein the processing unit is associated with a merchant (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

7. As per claim 28, Nair et al teach a method wherein the second account identifier is received from a customer as a means of payment for the transaction (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

Art Unit: 3621

8. As per claim 29, Nair et al teach a method further comprising causing to be delivered to the customer, after receiving information regarding authorization of the transaction, at least one of at least one good and at least one service associated with the transaction (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

9. As per claim 30, Nair et al teach a method wherein the transaction comprises a transaction conducted over at least one of the Internet and the telephone (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

10. As per claim 31, Nair et al teach a method wherein the customer is in a location that is remote from the processing unit (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

11. As per claim 32, Nair et al teach a method wherein the information regarding authorization includes an authorization code (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

12. As per claim 34, Nair et al teach a method wherein the second account identifier comprises a sixteen-digit identifier (*see abstract, figs 1, 2, 3, and the accompanied text, and column 8 lines 52-9 line 60, 13 lines 12-36*).

Art Unit: 3621

13. As per claims 36-42, they disclose the same inventive concept as claims 15, 18, 26-35.

Therefore, they are rejected under the same rationale.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

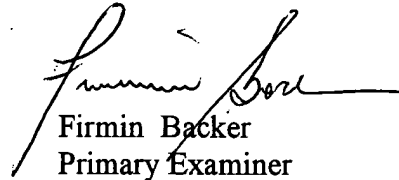
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Firmin Backer
Primary Examiner
Art Unit 3621

January 4, 2005